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*Attorney for Plaintiff and Counter-Defendant
Moog Inc.*

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MOOG INC.,

Plaintiff,

v.

SKYRYSE, INC. ROBERT ALIN
PILKINGTON, MISOOK KIM, and
DOES NOS. 1-50,

Defendants.

Case No. 2:22-cv-09094-GW-MAR

**PLAINTIFF AND COUNTER-
DEFENDANT MOOG INC.'S
AMENDED APPLICATION FOR
LEAVE TO FILE UNDER SEAL
DESIGNATED MATERIALS FROM
ITS AMENDED COMPLAINT**

Judge: Hon. George H. Wu

1 SKYRYSE, INC.,
2 Counterclaimant,
3 vs.
4 MOOG INC.,
5 Counter-Defendant.

**TO THE ABOVE CAPTIONED COURT, AND TO ALL PARTIES
AND THEIR ATTORNEYS OF RECORD:**

Pursuant to Local Rule 79-5 *et seq.*, Plaintiff and Counter-Defendant Moog Inc. (“Moog”) hereby submits this amended application for an order permitting it to file under seal certain excerpts and documents (the “Designated Materials”) from Moog’s Amended Complaint (the “Amended Complaint”).

Moog submits that compelling reasons exist to permit the Designated Materials to be filed under seal. The Designated Materials include documents that have been identified as Protected Material pursuant to the Protective Order entered in this action on May 6, 2022 (the “Protective Order”) (Dkt. 89), which are quoted in or referenced in excerpts from the Amended Complaint. Moog further seeks to file under seal Exhibits F, G, I, J and K attached to the Amended Complaint. The material that Moog requests to file under seal is the type of information that Moog does not make public, does not share with competitors, and keeps confidential in its business. If disclosed publicly, it could be used by Moog’s competitors to secure unfair competitive advantage and cause irreparable business harm.

Specifically, Moog seeks to file the following Designated Materials under seal: (1) highlighted portions of Moog’s Amended Complaint at pages 11:6-13:23, 14:5-16:26, 18:7-20:16, 20:22-22:2, 33:6-19, 37:3-9, 37:11-22, 37:25-28, 38:3-20, 38:24-39:3, 41:4-8, 61:16-20, 64:21-26, 65:7-14, 65:20-27, 66:2-4, 66:6, 67:6-8, 67:13-14, 67:22-24, 69:1, 69:6, 76:3-9, 76:13-17; and (2) Exhibits F, G, I, J, and K to Moog’s Amended Complaint.

Moog also seeks to provisionally lodge under seal the following Designated Materials, which refer to, describe, or quote documents that Skyrise has identified as Protected Material under the Protective Order, or which Moog believes that Skyrise may consider to be Skyrise’s own confidential information: highlighted portions of Moog’s Amended Complaint at pages 34:15-16, 40:24-26, 45:16-18, 61:28-62:1, 67:27-28, 68:9-11, 71:19-21, 71:24-27, 72:5, 72:12-13, 72:15-16, 72:21,

1 73:8-9, 73:21, 74:22-23. Accordingly, pursuant to paragraph 12.1 of the Protective
2 Order, Moog seeks to provisionally lodge these documents under seal until such
3 time as Skyrise withdraws its confidentiality designations or the Court rules on a
4 forthcoming application from Skyrise to justify that these documents, or portions of
5 thereof, remain under seal.

6 This application is further based upon the accompanying Declaration of
7 Kazim Naqvi in Support of this Application; any pleadings, files, and records in this
8 action; and any further evidence or argument as this Court may consider.

9 Moog's counsel conferred with Skyrise's counsel via e-mail on July 18, 2023
10 regarding all of the Skyrise Designated Materials referenced above. Moog's counsel
11 noted that for many of the Skyrise Designated Materials, Moog had previously
12 conditionally lodged such materials under seal (Dkt. 358) and Skyrise had already
13 filed a supporting declaration specifying which portions of those materials it
14 believes should be filed under seal (Dkt. 366). Moog request that Skyrise's counsel
15 advise if its positions regarding sealing had changed since filing Dkt. 366, and
16 whether any of the other Skyrise Designated Materials should be made publicly
17 available. Moog also advised that it had already applied for sealing the same
18 materials in connection with Moog's Motion for Leave to Amend (Dkt. 487), which
19 was granted by the Court at Dkt. 489. As of 10:00 a.m. PT on July 21, 2023,
20 Skyrise had not provided its positions. Accordingly, Moog will conditionally lodge
21 under seal all Skyrise Designated Materials and any quotes or references thereto,
22 and consistent with Dkts. 366 and 487.

1 Dated: July 24, 2023

2 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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4 By /s/ Kazim A. Naqvi
5 Kazim A. Naqvi

6 Attorney for Plaintiff and Counter-Defendant
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